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Federal Communications Commission
Office of the Secretary

BEFORE THE

Federal Communications Commission

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In the Matter of: : Docket Number:

GLEN FALLS, NEW YORK : 92-6

-----X

Date: September 1, 1992

Volume: 5

Place: Washington, DC

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1 BEFORE THE
2 FEDERAL COMMUNICATIONS COMMISSION

3 - - - - - X

4 In the matter of: : Docket Number 92-6

5 GLENS FALLS, NEW YORK : VOLUME 5

6 - - - - - X

7 The above-entitled matter came on for
8 hearing, pursuant to Notice, before RICHARD L. SIPPEL,
9 Administrative Law Judge, at 2000 L Street, Courtroom
10 No. Three, Washington, DC, Tuesday, September 1, 1992,
11 at 10:00 a.m.

12 APPEARANCES:

13 On Behalf of Normandy Broadcasting Corporation:

14 CHRISTOPHER P. LYNCH

15 217 Dix Avenue

16 Glens Falls, New York, 12801

17 On Behalf of Lawrence N. Brandt:

18 DAVID TILLOTSON, ESQ.

19 KATHLEEN FRANCO, ESQ.

20 Arent Fox

21 1050 Connecticut Avenue, NW

22 Washington, DC 20007

23

24

25

1 APPEARANCES (Continued):

2 On behalf of Federal Communications Commission:

3 GARY P. SCHONMAN, ESQ.

4 PAULETTE LADEN, ESQ.

5 2025 M Street, NW

6 Suite 7212

7 Washington, DC 20554

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I N D E X

WITNESS	DIRECT	CROSS	REDIRECT	RECROSS
Christopher Lynch	---	519	---	---
Thomas Jacobson	---	649	670	695
Richard Dusenberry	---	701	703	---

- - -

E X H I B I T S

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1 P R O C E E D I N G S

2 (Time Noted: 10:01 a.m.)

3 JUDGE SIPPEL: On the record.

4 This is the first day of the hearing set in
5 this case. I'm going to start by asking counsel or the
6 parties to please identify themselves.

7 On behalf of Normandy Broadcasting?

8 MR. LYNCH: Christopher P. Lynch, present
9 General Manager, and I'm being assisted by Maureen
10 Lynch, Corporate Secretary and Director.11 JUDGE SIPPEL: All right, Mr. Lynch, good
12 morning.13 I know Mr. Tillotson is outside on the
14 telephone, on behalf of Mr. Brandt, but I'm going to
15 ask Bureau Counsel to please identify themselves at
16 this time?17 MS. LADEN: Paulette Laden and Gary Schonman
18 for the Chief of the Mass Media Bureau.19 JUDGE SIPPEL: All right, and on behalf of --
20 on behalf of Lawrence N. Brandt?

21 MS. FRANCO: Kathleen Franco.

22 JUDGE SIPPEL: Okay, good morning, Ms.
23 Franco.

24 MS. FRANCO: Good morning.

25 JUDGE SIPPEL: There are two preliminary

1 matters I want to raise at this time.

2 First, all witness, that are going to testify
3 here, are going to be sequestered, and I take it that
4 you have Mr. Jacobson and Mr. Dusenberry?

5 MR. LYNCH: Yes, Your Honor.

6 JUDGE SIPPEL: Who are going to testify?

7 MR. LYNCH: Yes, Your Honor.

8 JUDGE SIPPEL: All right, when we start
9 taking testimony for Normandy, they'll only be one
10 witness in the courtroom at one time. All right,
11 that's a traditional rule that I apply across the board
12 when you have multi witnesses for a particular party,
13 and that's so that one part -- that -- that a person,
14 who testifies, does not influence the testimony of the
15 next person, who is going to take the stand to testify.

16 In your situation, since you're participating
17 both as counsel and as a witness, the order of proof
18 for Normandy, testimonial proof, will be that you would
19 testify first, and then Mr. -- Mr. Jacobson and Mr.
20 Dusenberry would be out of the courtroom, and then they
21 could come in and testify after you've completed. An
22 alternative -- otherwise, you're going to have the
23 benefit of their testimony before you testify.

24 Do you understand what I'm saying?

25 MR. LYNCH: I do, Your Honor. I -- it was

1 understood that they can testify first, so, hopefully,
2 they can get back to the radio station late tonight or
3 tomorrow morning.

4 JUDGE SIPPEL: Well, that might have to
5 require a variation of what would otherwise be the
6 normal procedures for -- well, why couldn't you testify
7 first?

8 MR. LYNCH: Only due to time limitations,
9 trying to get them out of here on the train this
10 afternoon, if at all possible.

11 JUDGE SIPPEL: Does anybody have any
12 objection to taking their testimony first, even though
13 Mr. -- Mr. Lynch would be in the courtroom?

14 Mr. Tillotson?

15 MR. TILLOTSON: Well, Your Honor, I -- I --
16 if I thought there would be a problem of them getting
17 out of here this afternoon, I would -- I would say
18 let's take them first, but I think we -- unless the
19 Bureau has a lot, I suspect that we'll be done with Mr.
20 Lynch well before noon. I don't -- there's not that
21 much here.

22 JUDGE SIPPEL: Mr. Lynch?

23 MR. LYNCH: If we can get -- my problem with
24 them is one of time. If we can get them out of here in
25 a reasonable time, that's super.

1 JUDGE SIPPEL: Well, you're -- the -- the
2 question is your time on the stand is basically going
3 to be -- the fact -- the main fact is going to be the
4 extent of the cross examination. Mr. Tillotson is
5 representing he doesn't have all that much, and I know
6 Mr. Tillotson. I've had him in trials before, and he
7 knows -- when he wants to go a long time, he knows how
8 to do that, so I'm taking that at face value.

9 (Laughter)

10 How about the Bureau? Does the Bureau have
11 anything?

12 MS. LADEN: It doesn't matter to us, Your
13 Honor, which -- which way it's done.

14 JUDGE SIPPEL: Do you -- do you -- do you
15 have a feel as to whether or not you're going to have
16 extensive cross examination?

17 MS. LADEN: No. It depends on what Mr.
18 Tillotson covers. We would kind of be sweeping up
19 after Mr. Tillotson, to make sure the record is
20 complete. So, it's hard to say, at this point. At
21 this point, we don't have anything. We have several
22 questions, which we suspect that Mr. Tillotson will
23 cover, but it wouldn't be extensive, even if Mr.
24 Tillotson did not cover it.

25 JUDGE SIPPEL: All right, and I -- and I take

1 it that these two witness are -- these are -- I
2 remember we covered this at our admission session, but,
3 you know, bear with me while we start this morning.
4 These are -- these are witnesses, who are from the
5 station. These are -- these are people who are working
6 at the station or were working at the station?

7 MR. LYNCH: Tom Jacobson has been there for
8 about seven years, and is currently the Program
9 Director for WYLR. Rick Dusenberry, was the Program
10 Director for WYLR for two years, under the license
11 renewal period, and he was promoted. He's Chief Copy
12 Writer and Production Manager now at the station.

13 JUDGE SIPPEL: All right. Then this -- the -
14 - I'm just asking that because I want to be sure I
15 understand the nature of the testimony we're going to
16 be hearing.

17 Then, I -- I don't see any reason why we
18 can't go forward, as I've outlined it, so that the
19 sequestration provisions can be kept intact, and what I
20 mean by that is that you're going to go on first, and
21 then these gentlemen are going to wait out in the
22 witness room until you're finished, and then they'll
23 come in one at a time and testify.

24 MR. LYNCH: Fine, Your Honor.

25 JUDGE SIPPEL: Now, I want to announce a -- a

1 daily schedule. This is a general schedule that I
2 expect to keep between now and the completion of the
3 hearing, and let me ask this, Mr. Tillotson, what would
4 be your best estimate as to how long this case is going
5 to take to try? You have two witness tomorrow that's
6 coming in, or, at least one -- at least one witness is
7 going to be cross examined by telephone tomorrow.

8 MR. TILLOTSON: The one on speaker phone is
9 probably 15 minutes. It's really -- the exhibit --
10 and, in fact, after we're done here, we may -- I may
11 ask Mr. Lynch if we can stipulate to the basic facts
12 that we think we would develop through that witness,
13 and maybe not have the need to come back tomorrow and
14 let Mr. Lynch get out of her, because it's very -- it's
15 very brief. It's just, you know, to clarify some --
16 what he knew and what the basis of his knowledge is in
17 his statement.

18 JUDGE SIPPEL: So, it's possible that you
19 would be completed with your case today?

20 MR. TILLOTSON: I would expect that we would
21 be completed with our case today and before -- well
22 before the normal ending period.

23 JUDGE SIPPEL: All right.

24 Does the Bureau see any other way?

25 MS. LADEN: No, Your Honor.

1 JUDGE SIPPEL: All right. Well, maybe I --
2 this is -- this is -- this is music to my ears, so, I'm
3 just going to tell you, just so there's a general --
4 just let me just scope this out generally for
5 everybody.

6 We'll go until noon today, and then break for
7 lunch until 1:15, and come back and go until 5:00
8 o'clock this afternoon, with about a 15 minute break in
9 between 2:45 and 3:00 o'clock, or thereabouts, and, you
10 know, routine off the records and this type of thing,
11 but I -- I'm prepared to go to 5:00 or 5:30 today to
12 get it finished, if we can do that. I'm not inviting
13 that, but I'll be here if we can do it.

14 Now, that still is -- if you can stipulate as
15 to tomorrow's testimony, then that's even better,
16 because then we wouldn't have to take testimony
17 tomorrow, but I'll be here tomorrow morning.

18 The only caveat I have that I want to let
19 everybody know right up front, that I -- I have to
20 leave the courtroom by 4:00 p.m. tomorrow afternoon,
21 but from what I'm hearing, that -- that shouldn't pose
22 any problem at all.

23 All right, I've got some other preliminary
24 administrative matters to announce.

25 First of all, witnesses beware of the cork on

1 the water bottle when you're coming up to testify. The
2 best thing to do is -- the only way to handle that is
3 to remove the cork or the -- the plug from the water
4 bottle before you pour the water, and I'm going to ask
5 counsel to please remind the witnesses of that, because
6 that can cause a 15 minute recess. I've seen it
7 happen.

8 Secondly, I am expecting -- well, I've
9 indicated what the testimony is that I'm expecting
10 today and tomorrow, and you've already brought me up-
11 to-date on that.

12 With respect to Mr. Wade, I -- we received a
13 telephone call in our office late last week from Mr.
14 Lynch, and I transmitted that -- what we heard from Mr.
15 Lynch, I transmitted that information to Mr. Tillotson.

16 Basically, I understand Mr. Wade is in
17 Ireland, is that right, and can't testify?

18 MR. LYNCH: On a sabbatical way out in the
19 country with a friend of his and has been over there
20 since he was picked as a witness. I'm hoping he's
21 going to get a phone call back, but he's in an
22 extremely rural area. We have not been able -- I've
23 been over to the house a couple of times, and there's
24 been no contact with him at all. He is on a
25 sabbatical.

1 JUDGE SIPPEL: And what -- what's your
2 position then with Mr. Wade?

3 MR. TILLOTSON: Our position is that the
4 exhibit should be stricken, Your Honor. Mr. Lynch
5 should have made some inquiries. He knew when the date
6 of the hearing was, and insofar as he was getting
7 witnesses to support his case, it certainly -- the
8 burden was on Mr. Lynch to ascertain what the
9 witnesses' plans and availability were for the trial
10 date. Maybe he would have picked a different witness.

11 It's -- it's not as though the man, you know,
12 had a heart attack or fell off a ladder. It is there -
13 - you know, suddenly something came up. This is also -
14 - could have been planned and anticipated by a very
15 simple question, Mr. Wade, are you going to be
16 available to testify for me on this -- the first of
17 September? That question, apparently, was never asked.

18 JUDGE SIPPEL: Well, how about that, Mr.
19 Lynch? How did he get to Ireland without knowing or --
20 or without some -- well, you tell me. What's going on
21 with Mr. Wade?

22 MR. LYNCH: I -- I --

23 JUDGE SIPPEL: What was he told -- what was
24 he told by you?

25 MR. LYNCH: Pardon?

1 JUDGE SIPPEL: What was he told by you and
2 what did he agree or not agree to do?

3 MR. LYNCH: Basically, he has been working
4 with me for 20 years, he's been very supportive.

5 JUDGE SIPPEL: No, no, no. I don't mean in
6 that -- in that respect. I mean in terms of his
7 testimony tomorrow morning.

8 When we left here, after our admission
9 session, you made clear that he was going to be
10 available to testify by telephone, and you were
11 instructed to inform these people and get a commitment.
12 In fact, I was supposed to get a written representation
13 from you that these people were aware of the fact that
14 they were going to be cross examined, they were
15 prepared to go forward, they were -- they would -- they
16 would willingly subject themselves to cross examination
17 by telephone, and they were aware of the schedule,
18 including the hour of the day that they would be cross
19 examined and were agreeable to undertake that.

20 Now, that was clearly out in the record, and
21 I even cleared -- laid that out in an Order later on,
22 after the -- after the admission session. I want to
23 know from you why is Mr. Wade in this situation and why
24 all those representations?

25 MR. LYNCH: It's my understanding he was just

1 going to take a two week vacation over there and, you
2 know, as far as -- we did not discuss the specific day
3 and specific time. It was my understanding, he was
4 taking a normal vacation of a couple of weeks, and when
5 I got back, he was gone, and -- and, again, it is -- he
6 does this once every, I guess, every three or four
7 years, and he's -- he's -- I just did not know or did
8 not think that he would be gone this week. This is --

9 JUDGE SIPPEL: Well, I -- okay, I don't mean
10 to cut you off, but I -- I hear, from what you're
11 telling me is that you never told Mr. Wade what
12 transpired in the courtroom at the admission session.
13 In other words, you never told Mr. Wade, look, you've
14 got to be on the telephone with the Judge on September
15 the 2nd at 10:00 o'clock. You never told him anything
16 like that?

17 MR. LYNCH: By the time he left, I didn't --
18 I didn't know that fact. By the time I got Mr.
19 Tillotson's letter that we do want to cross examine
20 only Mr. Wade and Mayor Okeith, Mr. Wade was in
21 Ireland, and I've had no opportunity to talk to him
22 since then.

23 JUDGE SIPPEL: All right, let me try it one
24 more time then.

25 MR. LYNCH: Yes, Your Honor.

1 JUDGE SIPPEL: You never -- I take it, from
2 what you're telling me, is that you never specifically
3 told Mr. Wade, Mr. Wade, I'm going to hearing on the
4 1st of September and you're one of four that may be
5 called for cross examination, by telephone, during that
6 week of September 1st. I take it you never told him
7 anything like that?

8 MR. LYNCH: Not September 1st, but I did when
9 I asked for the affidavit. I asked him if -- in fact,
10 I told my witnesses, here's what could happen, and they
11 might be cross examined on this, either in person or by
12 whatever the court put together, but as far as using
13 the September 1st specific date, no, I -- I never had
14 an opportunity to talk to him.

15 JUDGE SIPPEL: Well, did you talk to him
16 after we met on August 4th, after we had that lengthy
17 admission session? Did you talk to him?

18 MR. LYNCH: Yes. He was just about ready to
19 leave for Ireland. In fact, I --

20 JUDGE SIPPEL: That -- I don't care what he
21 was ready to do. You did talk to him?

22 MR. LYNCH: Yes, Your Honor.

23 JUDGE SIPPEL: What did you tell him, and
24 remember you're still under oath.

25 MR. LYNCH: I cannot -- I can't remember the

1 exact words I told him, but I do not believe that I
2 told him September 1st was an actual date. I know we
3 did go over the proceedings, and at that time, it was
4 up in the air, in my mind, as far as who would be
5 called and who would not be called, but he was on
6 notice that he might be called. I believe I just
7 neglected. It never occurred to me, at that time, that
8 it would be a four or five week vacation or a
9 sabbatical. So, I don't believe I did tell him the
10 specific date, but I know he was aware that he -- he
11 might have to testify for me, but he had not, excuse
12 me, been -- it had not been firmed up that he was going
13 to be asked to testify.

14 JUDGE SIPPEL: All right, I take it -- all
15 right, I've -- I've heard -- I think I've heard enough
16 on that score.

17 Does the Bureau have a position with respect
18 to this -- this -- this incident and the -- what to do
19 with the exhibit?

20 MS. LADEN: Your Honor, it seems that since
21 the witness was requested for cross and is not
22 available for cross, what we would suggest -- what we
23 would move is that the exhibit not be received.

24 JUDGE SIPPEL: All right, I am prepared to
25 rule on this at this time. Does this have a -- do we

1 have an exhibit number now? Do we have something
2 specific to rule on here?

3 MR. LYNCH: Mr. Wade's exhibit is our Direct
4 Case Exhibit 9, page 2.

5 MR. LADEN: I believe it may have been
6 received already, Your Honor.

7 JUDGE SIPPEL: It has been. Yeah, I have a
8 note on my copy, okay, by the speaker phone. I mean
9 it's -- it was a qualified receipt. It had to do --
10 the -- the condition, for which it would be received
11 and considered as evidence in this case, would be his
12 availability for cross examination by speaker phone. I
13 -- I recall that as being my ruling.

14 In any event, in light of what you have
15 disclosed to me in terms of what you have done and
16 haven't done to secure Mr. Wade's attendance by speaker
17 phone during the week of September 1st, I'm prepared to
18 rule at this time. I will treat Mr. -- Mr. Tillotson's
19 objection as a motion to -- to strike the exhibit, and
20 the substance of that motion is -- is supported by the
21 Bureau, and I'm going to grant the motion, and to the
22 extent that the Affidavit of Thomas J. Wade, Normandy's
23 Exhibit 9 at page 2 was received into evidence on the
24 4th of August, it is stricken as an exhibit, and it
25 will not be considered in the findings in this case for

1 the reasons that I have stated on the record.

2 (The document heretofore
3 marked for identification
4 as Normandy Exhibit 9, page
5 2 and received into evidence
6 is stricken.)

7 All right, then that will -- that just leaves
8 us with the testimony of Mayor Okeith, and I would urge
9 the parties, over lunch, to try and work out an
10 agreement to stipulate, or if you can get him on the
11 phone sometime today, to take -- work him in, perhaps,
12 today between now and 5:00 o'clock, but either way.
13 I'll leave that up to you, Mr. Lynch and Mr. Tillotson
14 and Ms. Laden. You can agree on that, perhaps, over
15 lunch time.

16 All right, now, you were also to prepare an
17 Exhibit 11. That was to be a bound exhibit that
18 would -- where -- in which you would -- you would
19 select your 25 best letters from Exhibit 10. Do you
20 recall that?

21 MR. LYNCH: Yes, Your Honor, I have that
22 prepared.

23 JUDGE SIPPEL: You have that prepared now?

24 MR. LYNCH: Yes, sir.

25 JUDGE SIPPEL: Do you want to -- have -- have

1 other counsel received this, Mr. Tillotson -- Mr. --

2 MR. TILLOTSON: I don't believe so, no.

3 JUDGE SIPPEL: All right. Well, let's --
4 let's get these exchanged right now. Give a copy to
5 each of the attorneys and bring a copy up to me, if you
6 would.

7 We'll go of the record.

8 (Discussion off the record.)

9 JUDGE SIPPEL: Back on the record.

10 I've announced, off the record, and let me
11 firm this now the -- what Mr. Lynch has handed up and
12 distributed are Direct Exhibit #11, and there is
13 attached to it -- these are -- these are a compilation
14 of miscellaneous letters, and I take it, Mr. Lynch,
15 these all did come from Exhibit 10?

16 MR. LYNCH: Yes, Your Honor.

17 JUDGE SIPPEL: And he does have a -- a list
18 of these documents on a facing sheet, with their dates
19 and the subject matter of each document, as you have
20 been instructed to do, and we will take that up, as an
21 evidentiary matter, for receipt into the record either
22 after the break this morning or after lunch this
23 afternoon, after everybody has had a chance to review
24 it.

25 Thank you, Mr. Lynch.

1 MR. LYNCH: You're welcome.

2 JUDGE SIPPEL: There was one other item that
3 I was supposed to receive from counsel for Mr. Brandt,
4 and that was a redacted copy of the second page of your
5 Exhibit 2.

6 MR. TILLOTSON: Oh, you know, Your Honor,
7 that totally slipped my mind. We'll do that on the
8 luncheon break. I apologize.

9 JUDGE SIPPEL: All right, I want to have that
10 done before the Reporter leaves. All right, that's --

11 MR. TILLOTSON: Right. We will make a note.
12 Yeah.

13 JUDGE SIPPEL: That's a must.

14 MR. TILLOTSON: Redacted. I forgot all about
15 that.

16 JUDGE SIPPEL: Okay, you know, you're very --
17 you're very familiar with the document?

18 MR. TILLOTSON: Yes, yes. There was -- there
19 was information. I -- I remember what I -- that there
20 was a problem with it, and I -- I just neglected to.

21 JUDGE SIPPEL: Okay, we'll get back to you.

22 Now, that's all I have.

23 Does the Bureau have any preliminary matters?

24 MS. LADEN: No, Your Honor.

25 JUDGE SIPPEL: Mr. Tillotson?

1 MR. TILLOTSON: No, Your Honor.

2 JUDGE SIPPEL: Mr. Lynch?

3 MR. LYNCH: No, Your Honor.

4 JUDGE SIPPEL: Then, we're prepared to go
5 forward, and I would ask -- I would then ask Mr. -- do
6 I have these names correct, Mr. Dusenberry and Mr.
7 Jacobson? Do I have the names correct? If you would
8 leave the courtroom, you gentlemen would leave the
9 courtroom, and do you know where the witness room is?

10 THE WITNESS: Yes.

11 JUDGE SIPPEL: If you would wait in the
12 witness room until you're called, and we'll -- you
13 know, we'll move you on and off the record as fast as
14 we can.

15 Thank you for attending as well.

16 THE WITNESS: Thank you.

17 JUDGE SIPPEL: We'll go off the record for
18 just a minute.

19 (Discussion off the record.)

20 JUDGE SIPPEL: Back on the record.

21 Mr. Lynch, we're prepared to -- to subject
22 you -- to have yourself subjected to cross examination
23 by Mr. Tillotson and from Bureau Counsel.

24 If you'll come forward with your -- with your
25 -- a copy of your documents and take the witness, get

1 yourself comfortable there, and you may pour yourself a
2 glass of water before you start.

3 You were already sworn as a witness on the
4 4th of October -- on the 4th of August rather. I don't
5 recall whether I -- I reconfirmed your oath. I don't
6 think I did, but just to be on the safe side, I'm going
7 to administer the oath to you again. Would you just
8 stand and raise your right hand?

9 Whereupon,

10 CHRISTOPHER P. LYNCH

11 was called as a witness, and having been first duly
12 sworn, was examined and testified, on his oath, as
13 follows:

14 JUDGE SIPPEL: Please be seated. State your
15 full name and your residence, for the record, and then
16 Mr. Tillotson will conduct his cross examination.

17 THE WITNESS: My name is Christopher Paul
18 Lynch. My legal residence is 217 Dix, D-i-x Avenue,
19 Glens Falls, New York.

20 JUDGE SIPPEL: Mr. Tillotson?

21 MR. TILLOTSON: Yes, sir. Your Honor, if I
22 may approach you and the witness, and I'd like to hand
23 out an exhibit. Actually, while I'm at it, I might
24 identify four -- three exhibits that I want to use
25 during cross examination. I think it will facilitate

1 us if we get them all identified now.

2 JUDGE SIPPEL: Are these new exhibits?

3 MR. TILLOTSON: These are new documents.

4 They're based on document production.

5 JUDGE SIPPEL: Thank you.

6 MR. TILLOTSON: One to the witness.

7 The first exhibit -- the first exhibit that I
8 passed out, which is numbered Brandt Exhibit 3, and
9 it's been Bate stamped on the bottom 1 through page 72.
10 This is -- these documents were compiled, based upon
11 the original Issues Programs Lists that we submitted,
12 Brand submitted, with the request for admissions as to
13 their authentic -- authenticity, and then were
14 supplemented by materials that Mr. Lynch provided when
15 he responded to the request for admissions and
16 indicated that there were other documents that should
17 have been included in them to make them complete. They
18 do not, however, include some materials that Mr. Lynch
19 also sent us that were described as "In an effort to
20 better explain our community problems and issues, and
21 our efforts surrounding these issues, we annexed our
22 NAB Crystal Awards presentations for the applicable
23 years."

24 We made the judgment that -- maybe Mr. Lynch
25 may want to put them in as his own exhibits, for some

1 purpose, but we made the judgment that the Crystal
2 Award presentation for the NAB is not in -- does not,
3 in any way, fall into the category of what the FCC has
4 for Issues Programs Lists, where you identified prowess
5 of the community and then specific programs that
6 address specific problems, the time, the date, the
7 duration and so on.

8 So, not to burden the record, I did not put
9 those in. That's what that exhibit consists of and I'd
10 like to have that marked for identification as Brandt
11 Exhibit 3.

12 JUDGE SIPPEL: All right. Well, let's give
13 it an identification, some kind of an identification
14 label. These would be --

15 MR. TILLOTSON: These are W -- they -- they
16 purport to be WYLR Issues and Programs Lists. I think,
17 as we go through them, we'll find out that, for the
18 most part, they're WWSC Issues and Programs Lists.

19 JUDGE SIPPEL: All right. So, these are
20 Issues and Programs Lists. What we -- I want to
21 characterize them for the record as purported WYLR
22 Issues and Programs Lists, all of which are compiled
23 documents from the records that were produced to you by
24 Normandy Broadcasting. Is that correct?

25 MR. TILLOTSON: Or the records that we